

PRIZES AND SWEEPSTAKES

Selling With Pretense of Prize

Wisconsin Statutes section 100.16 prohibits sales promotions that promise a hidden or undisclosed prize, or the opportunity to win a prize, as a result of a purchase. This prohibition does not apply to an “in-pack chance promotion” that meets all the following requirements.

- Participation is available, free and without purchase of the package, from the retailer or by mail or toll-free telephone request to the sponsor for entry or for a game piece.
- The label of the promotional package and any related advertising clearly states any method of participation and the scheduled termination date of the promotion.
- The sponsor on request provides a retailer with a supply of entry forms or game pieces adequate to permit free participation in the promotion by the retailer’s customers.
- The sponsor does not misrepresent a participant’s chances of winning any prize.
- The sponsor randomly distributes all game pieces and maintains records of random distribution for at least one year after the termination date of the promotion.
- All prizes are randomly awarded if game pieces are not used in the promotion.
- The sponsor provides, at the department’s request, a record of the names and addresses of all winners of prizes valued at \$100 or more, if the request is made within one year after the termination date of the promotion.

The Wisconsin Department of Agriculture, Trade and Consumer Protection administers this law. Violators may be fined up to \$200 or jailed for up to 6 months, or both. See Wisconsin Statutes section 100.26(1).